

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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In re:  
Lucinda M. Broecker

Debtor.

Chapter 13 No. GK-11-00386

Hon. James D. Gregg

**RESPONSE TO DEBTOR'S OBJECTION TO CLAIM AND NOTICE AND  
OPPORTUNITY FOR HEARING**

NOW COMES Creditor, Chase Home Finance LLC, by and through their attorneys, Trott & Trott, P.C., and hereby responds as follows:

1. Denied. PACER and the Debtor's schedules reflect that the Debtor's principal residence (see 11 U.S.C § 101 (13A)) is 107 E Broadwell St, Albion, MI 49224-1123. Pursuant to the definition of a claim under 11 U.S.C. §101(5)(B) and the broad interpretation of the term "claim" under *Johnson v Home State Bank*, 501 U.S. 78, 111 S.C. 2150, 115 L. Ed. 2d 66 (1991), this Creditor does have a claim against property (*in rem*) in which the Debtor has a legal interest by virtue of her being married to the original mortgagor. The claim as filed by the Creditor reflects that the loan is current and could remain a directly paid claim and would not receive disbursements from the Chapter 13 Trustee. Debtor does not want to propose any treatment to this Creditor, the Debtor must vacate the automatic stay with regard to the property. In any event, the Debtor has not stated a reason pursuant to 11 U.S.C. § 502 to justify disallowing the claim.

WHEREFORE, Creditor requests that this Honorable Court overrule the Debtor's Objection, and Order any other relief this Court deems just and equitable.

Respectfully Submitted,  
Trott & Trott, P.C.

Dated: March 14, 2011

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